

REMARKS

The Applicants wish to thank the Examiner for thoroughly reviewing and considering the pending application. The Office Action dated September 29, 2005 has been received and carefully reviewed. Claims 1, 5, 7, 8, 17, and 18 have been amended. Claims 1-18 are currently pending. Reexamination and reconsideration are respectfully requested.

Initially, the Applicants wish to thank the Examiner for indicating that claims 8 and 10-12 include allowable subject matter. Similarly, the Applicants thank the Examiner for allowing claims 13-16.

The Office Action rejected claims 1, 2, 7, 9, 17, and 18 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,298,678 to *Kim* (hereinafter "*Kim*"). The Applicants respectfully traverse this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. §102, "the reference must teach every element of the claim." The Applicants respectfully submit that *Kim* does not teach every element recited in claims 1, 2, 7, 9, 17, and 18. Thus, *Kim* cannot anticipate these claims. In particular, claims 1, 17, and 18 have been amended to recite an air conditioner comprising, among other features, a cabinet "having an insertion guide formed at a rear edge thereof." The Applicants submit that *Kim* does not disclose this feature. While *Kim* discloses a guide rail 28, the guide rail 28 is not formed at a rear edge of a cabinet. In fact, as may be clearly seen with reference to Figures 4 and 5, a gap separates the rear of the cabinet 21 from the guide rail 28 such that a rear edge of a main unit 23 fits between the guide rail 28 and the cabinet 21. Therefore, claims 1, 17, and 18 are patentable over *Kim* and the Applicants request that the rejection be withdrawn. Likewise, claim 2, which depends from claim 1, is also patentable for at least the same reason.

Claim 7 has been amended to include the subject matter in claim 8 indicated to be allowable. As such, the Applicants submit that claim 7 is, along with claim 9 which depends therefrom, patentable over *Kim* and request that the rejection be withdrawn.

In addition, the Office Action rejected claims 1-5, 7, 9, 17, and 18 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 2,978,973 to *Sweedyk et al.* (hereinafter "*Sweedyk*") in view of U.S. Patent No. 6,182,460 to *Hernandez et al.* (hereinafter "*Hernandez*"). The Applicants respectfully traverse the rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to "establish *prima facie* obviousness of the claimed invention, all the limitations must be taught or suggested by the prior art." The Applicants respectfully submit that neither *Sweedyk* nor *Hernandez*, either singularly or in combination, disclose or suggest each and every element recited in claims 1-5, 7, 9, 17, and 18. Regarding claims 1-5, 17, and 18, as previously discussed, claims 1, 17, and 18 have been amended to recite an air conditioner comprising, among other features, a cabinet "having an insertion guide formed at a rear edge thereof." Neither of the references, either singularly or in combination, disclose or suggest this feature. As correctly pointed out in the Office Action, *Sweedyk* does not disclose the arrangement inside the cabinet. *See e.g.*, the Office Action at page 3. Similarly, *Hernandez* does not address this deficiency. The Office Action alleges that *Hernandez* discloses a partition plate 26. However, as may be clearly seen in the Figures of *Hernandez*, the vertically extending metal partition 26 is not formed at a rear edge of a cabinet, as recited in claims 1, 17, and 18. Accordingly, claims 1, 17, and 18 are patentable over the cited references and the Applicants request that the rejection be withdrawn. Similarly, claims 2-5, which depend from claim 1, are also patentable for at least the same reasons.

Claim 7 has been amended to include the subject matter in claim 8 indicated to be allowable, as mentioned above. Thus, the Applicants submit that claim 7 is, along with claim 9

which depends therefrom, patentable over *Sweedyk* in view of *Hernandez* and request that the rejection be withdrawn.

The Office Action also rejected claim 6 under 35 U.S.C. § 103(a) as being unpatentable over *Kim* in view of U.S. Patent No. 2,717,508 to *Loveley et al.* (hereinafter "*Loveley*"). The Applicants respectfully traverse the rejection.

As previously discussed, *Kim* does not disclose all the features recited in claim 1, the base claim from which claim 6 depends. Moreover, *Loveley* does not address the shortcomings of *Kim*, namely an air conditioner comprising, among other features, a cabinet "having an insertion guide formed at a rear edge thereof." Therefore, the Applicants submit that claim 6 is patentable over the cited references and request that the rejection be withdrawn.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant's representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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